

Amendments to the claims:

The listing of claims will replace all prior versions and listings of claims in the application.

1-35. (Canceled)

36. (Currently amended) A method of ~~removing~~ obtaining fetal tissue ~~in utero while maintaining viability of the fetus and of the fetal tissue obtained~~, said method comprising ~~the steps of cutting the fetal tissue from the fetus by~~ inserting a flexible removal apparatus with a cutting tip into the fetus to remove tissue and moving the fetal tissue along a passage in the flexible removal apparatus by suction, and maintaining the sterility of the removed tissue for harvesting and transplantation.

37. (Canceled)

38. (Currently amended) The method of claim 36 wherein rotating motion is used to remove ~~cut~~ the fetal tissue.

39. (Currently amended) The method of claim 36 wherein a reciprocating motion is used to ~~cut~~ remove the fetal tissue.

40. (Previously presented) The method of claim 36 further comprising the step of irrigating the fetal tissue.

41. (Currently amended) The method of claim 40 wherein the step of irrigating and the step of applying suction ~~the irrigation and suction alternate~~ alternates.

42. (Currently amended) The method of claim 40 wherein ~~the irrigation~~ steps of irrigating and the step of applying suction occur substantially simultaneously.

43. (Previously presented) The method of claim 36 wherein the passage includes a filter.

44. (Canceled)

45. (Currently amended) The method of ~~using body tissue~~ claim 36, said method further comprising ~~the steps of removing fetal tissue from a donor by cutting fetal tissue to separate portion of the fetal tissue from other portions of the donor and moving the separated portions of fetal tissue along a passage under the influence of suction, and implanting the separated portion of fetal tissue in a patient,~~ body. ~~wherein prior to implantation the separated~~

~~portions of the fetal tissue are is combined with a material selected from the group consisting of tissue grafts, collagen, antibiotics, and bone growth promoting substances.~~

46. (Currently amended) The method of claim 45 wherein ~~the bone growth promoting substances are hydroxyapatite or tricalcium phosphate~~ prior to implantation the fetal tissue is combined with a material selected from the group consisting of tissue grafts, collagen, and bone growth promoting substances.

47. (Currently amended) The method of claim 36 wherein an adhesive element is added to the ~~separated portions of fetal tissue.~~

48. (Previously presented) The method of claim 47 wherein the adhesive element is blood or fibrin.

49. (Currently amended) The method of claim 36, further comprising said method ~~comprising the steps of removing fetal tissue from a donor by cutting fetal tissue or separate portions of the fetal tissue from other portions of the donor and moving the separated portions of fetal tissue along a passage under the influence of suction, adding the separated portions of fetal tissue to a biodegradable material[[,]], and implanting the separated portions of fetal tissue in a patient.~~

50. (Currently amended) The method of claim 36 further comprising ~~the step of~~ adding the ~~separated portions of fetal tissue~~ to a polymer.

51. (Canceled)

52. (Canceled)

53. (Currently amended) The method of claim 36 wherein ~~at least one of the steps of~~ cutting ~~and implanting~~ is performed through a cannula.

54. (Canceled)

55. (Canceled)

56. (Canceled)

57. (Currently amended) The method of claim 36 wherein the flexible apparatus comprises a flexible shaft, a cutting tip mounted on a distal portion of the flexible shaft, and drive means connected in force-transmitting relationship with the flexible shaft for transmitting force to move the cutting tip.

58. (Canceled)

59. (Currently amended) The method of claim ~~58~~ 57 wherein the flexible shaft includes a flexible inner member which is rotatable about a central axis of the shaft and an outer member which extends along and encloses the inner member.

60. (Previously presented) The method of claim 59 wherein the outer member has greater rigidity than the inner member.

61. (Previously presented) The method of claim 60 wherein the passage is located between the inner and outer members.

62. (Canceled)

63. (Canceled)

64. (Canceled)

65. (Canceled)

66. (New) The method of claim 57 wherein the location of the cutting tip within the tissue is controlled with a guide rod.

67. (New) The method of claim 36 wherein the fetal tissue is harvested and transplanted into the body from whom the tissue was removed.